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2 CITY COUNCIL

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CITY OF NEW YORK

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THE TRANSCRIPT OF THE MINUTES

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of the

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COMMITTEE ON YOUTH SERVICES

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10 March 12, 2007

Start: 11:15 a.m.

11 Recess: 12:25 p.m.

12 City Hall

250 Broadway, 14th Floor

13 New York, New York

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B E F O R E:

15

MIGUEL MARTINEZ

16

Acting Chairperson,

17

COUNCIL MEMBERS: Sara Gonzalez

18

Melissa Mark-Viverito

Dennis Gallagher

19

James Oddo

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2 A P P E A R A N C E S

3 John Frankle

4 Walter Stampfel

Catholic High School Athletic Association

5

Robert Cruz

6 New York Cardinals Baseball

7 Steve Mandl

George Washington High School

8 PSAL

9 Dan Polombo

John Jay College

10

Joe Domalewski

11

Abraham Key

12 USA Baseball

13 Richard Christie

Board of Director

14 PONY Baseball/Softball

15 Dwight Raiford

Member

16 Little League International

17 Richard K. Guarino

Vice President

18 Staten Island Baseball Alliance

19 Philip Romero

Head Coach, Varsity Baseball

20 Christopher Columbus High School

21 Jim Darby

Easton Sports, Inc.

22

David Ettinger

23 Honigman Miller Schwartz And Cohn LLP

24 George Manning

Hillerich & Bradsby Co

25

4

Dewey Chauvin

5 Easton Sports, Inc.

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ACTING CHAIRPERSON MARTINEZ: The

7 Chair is not with us today due to medical reasons,

8 and we expect him to be back with us in a couple of

9 days, full of energy and taking over again the

10 agenda of this important Committee of Youth Services

11 for the City of New York and the Council.

12 Today we're going to be conducting a

13 final hearing of Local Bill No. 341-A, a local law

14 to amend the Administrative Code of the City of New

15 York in relation to prohibiting the use of non-wood

16 bats, and we're going to start our hearing. Before

17 we do that, I want to introduce the members,

18 colleagues who are here with me. Starting to my left

19 we have Council Member Sara Gonzalez, following her

20 we have Dennis Gallagher, and to my left we have

21 Council Member Jimmy Oddo, who is the prime sponsor

22 of the bill which we're going to be voting on and

23 hearing final testimony today.

24 Can we call our first panel?

25 John Frankle (phonetic), and we're

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2 going to allow each witness three minutes testimony.

3 MR. FRANKLE: Good morning. I'm here

4 for the use of wood bats in high school. I believe

5 that the game itself, being a professional athlete

6 for 22 years and playing with wood bats 22 years,

7 and seeing the other side, and also coaching for the

8 Little League this past year, we played in some wood

9 bat tournaments and some aluminum tournaments, and I

10 believe the game is totally different, less

11 offensive oriented with the aluminum bats -- with

12 the wood bats it's less offensive oriented.

13 We were in a tournament, a wood bat

14 tournament where one of my players hit a line drive

15 off of a boy's chest, and the kid went down. I

16 believe if it was an aluminum bat, I don't think the

17 kid would have gotten up. I play with some

18 professional athletes who have been hit in the head
19 with wood bats, Al Leighter (phonetic), Billy
20 Wagner, if they got hit in the head with aluminum
21 bats, I think the outcome would have been totally
22 different.

23 I think it's for safety reasons why.
24 You know, I don't have that data, but I can tell you
25 from speaking professional and being involved in

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2 baseball since I'm four years old, I've been hit
3 plenty of times with wood and aluminum, it still
4 hurts no matter where you get hit from, but I just
5 think that the -- I just feel in my heart that it
6 would be much more safety for the kids and that's
7 what this is all about, safety for the kids. This
8 isn't about -- I know it's about dollars and cents
9 and it goes a long way, that's a whole other issue,

10 but I'm here to try to protect the kids and that's
11 what I truly believe in my heart, that going to wood
12 bats would also help them with safety, it would also
13 get talent. You know, I throw batting practices for
14 some high school teams right now, and while the ball
15 is just getting out of my hand, it's already hitting
16 the net, and I don't even see it coming at me.

17 It's dangerous. It's very, very
18 dangerous. Like I said before, I'm sure you have
19 people here who have all kinds of data and
20 statistics, and this and that, I'm speaking from
21 someone who is standing on the mound for 22 years
22 and I can see the difference. While I'm standing in
23 the stands watching my son play, or some of the
24 other little leaguers, I can see the difference.

25 You have a gentleman who is going to

2 be speaking in a little while, that his son got hit
3 in the chest. I just met him this morning. When you
4 listen to this gentleman speak about the
5 rehabilitation and the stuff that his son is going
6 through, go visit this gentleman, go spend a day
7 with him and see what he is going through with his
8 family. You can't imagine what he's going through.

9 And I truly believe that if you do go
10 over to wood bats, I think you will protect some of
11 the kids and try to prevent some of these injuries.

12 ACTING CHAIRPERSON MARTINEZ: Thank
13 you. Seeing no questions from my colleagues, I want
14 to thank you for your testimony.

15 Do you have a question?

16 Council Member Oddo has a question
17 for you.

18 COUNCIL MEMBER ODDO: I just want to
19 thank John, first as a Met fan for lots of great
20 moments, and secondly as a Staten Islander for
21 having John come down for a busy schedule. John,
22 just two quick questions.

23 One is, do you have any affiliation
24 with any wood bat company, or any bat company for
25 that matter?

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2 MR. FRANKLE: I have no affiliation.
3 I'm a retired man living on a pension right now. No,
4 I have no affiliate with anyone right now.

5 COUNCIL MEMBER ODDO: So, why did you
6 come down here today? What was your motivation?

7 MR. FRANKLE: I see the way the game
8 is changing. The game is getting so much faster.
9 I've seen that kid get hit in the chest last year
10 out on Long Island, and thank God he got up, and I
11 have a son who is going into high school right now
12 and I truly believe to measure the high school
13 talent and the kids' talent, why not start them with
14 the wood bats, because if they're to pursue a

15 professional career, they're going to have to go

16 with wood bats, and I also believe that it's

17 probably a little bit safer for the wood bats. I'm

18 sure there's plenty of people here who would

19 disagree with me, professionally speaking, and

20 someone who has been there for a long time, I

21 really, truly believe the game may be a little bit

22 slower with a bat.

23 I mean, some of the tournaments we

24 went to, games were 10/9, you know, 11/2, but some

25 of the games we went to with the wood bat tournament

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2 2/1, 3/2, it makes it so much enjoyable. And

3 talking, obviously, from a pitcher's standpoint, you

4 like to see those type of games.

5 COUNCIL MEMBER ODDO: Mr. Chairman, I

6 just want to put into the record an article from the

7 Sunday, April 4th, 2004, New York Post with the

8 headline "Lucky to be alive." Details when Al

9 Leighter was hit with a baseball playing a game

10 against the Marlins, and just to remind the

11 Committee about what Mr. Frankle, you know, had that

12 been an aluminium bat, what the outcome might have

13 been.

14 Thank you, Frankle, I appreciate it.

15 Thank you, Mr. Chairman.

16 ACTING CHAIRPERSON MARTINEZ: Thank

17 you for your testimony. Can we call the next panel?

18 Robert Cruz, Walter Stampfel, Steve

19 Mandl, and Dan Palombo.

20 Please identify yourself. And, again,

21 I want to remind everyone, we have three minutes to

22 testify. Identify yourself and whenever you're

23 ready.

24 MR. STAMPFEL: My name is Walter

25 Stampfel. I'm the Baseball Chairman for the Catholic

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2 High Schools Athletic Association of the Archdiocese

3 of New York and also the Diocese of Brooklyn. We

4 represent over 30 Catholic high schools in the

5 Metropolitan area, mostly New York City, and more

6 than 1,500 student athletes that participate in

7 baseball. Other than the PSAL, we are the largest

8 group that will be affected by this bill.

9 Over the last six months, the

10 ramifications of this bill have been discussed from

11 many different angles - cost, enforcement, college

12 recruiting, and, of course, safety, are just a few

13 of the dozens of issues that have been raised. I

14 don't come here today to argue any of those

15 specifics. That could take hours. I come here simply

16 to say let the experts decide.

17 The National Federation of High

18 Schools, the governing body of our sport by whose

19 rules we play, has spent substantial time over many

20 years working to ensure the safety of our sport.

21 Nothing is more important to them, it is their top
22 priority.

23 The Federation consists of educators,
24 administrators and coaches, and hundreds of years of
25 experience in high school sports. Their perspective

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2 is broad and their concern for the safety of our
3 athletes has been compromised. The federation is
4 constantly reviewing the rules of baseball for high
5 schools.

6 In recent years, the National
7 Federation has implemented more rigorous standards
8 for batting helmets, catcher's equipment, and has
9 adjusted rules for sliding to ensure player safety.

10 Most importantly, the Federation has
11 already addressed the issue of aluminum bat safety
12 by establishing weight to length ratios and barrel

13 dimensions that bring the bats within acceptable
14 safety standards. The Bat Exit Speed Ratio, BESR,
15 minus three.

16 We have observed and supported the
17 performance changes ourselves as coaches. From
18 listening to some people, you would think that the
19 issue of bat safety has been totally ignored by the
20 federation. Some studies have even been quoted that
21 were done before the safety standards were put into
22 place. These studies are irrelevant in today's game.

23 We respectfully suggest that the
24 National Federation has a good grasp on the safety
25 issues at hand and urge you to vote no on this

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2 proposal.

3 While we love baseball and think the
4 issue is important, it seems to us that there are

5 far more pressing matters of public safety on which
6 the City Council could make an impact.

7 Every piece of equipment used at
8 Catholic High School Athletic Association and
9 baseball games meet the standards established by the
10 National Federation. We'll use whatever they tell us
11 to use. If they tell us to use wood bats, we'll be
12 happy to. They are the experts in this field and we
13 trust their judgment. They acted on this a few years
14 ago and have not seen the need to do so since. A no
15 vote on this proposal is not a vote against safety.
16 It is simply a yes vote on letting the experts
17 decide.

18 MR. CRUZ: Hi. My name is Robert Cruz.
19 I'm an assistant coach at Hofstra University, and
20 the Vice President of a travel organization, the New
21 York Cardinals, and 16-year-old Travel Coach. I
22 really strongly believe it's not a safety issue
23 concerning the metal bats. We have the regulations
24 in place, as Walter was saying, with BESR standards
25 that we follow, the NCAA, as well as the high

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2 schools. Is there a difference in the type of game,
3 as John Frankle was saying? Maybe, but we're talking
4 about the safety and there is no evidence of the
5 safety that our children are in danger of.

6 The metal bat companies and the NCAA
7 and the high school, they've done the tests, and
8 with that regulation in place, that came in place
9 when I was playing in college, has made an impact,
10 and these bats play like wood bats. So, I strongly
11 oppose your idea of wood bats with high school
12 players.

13 MR. POLOMBO: Good morning. My name is
14 Dan Polombo. I'm the Head Baseball Coach at John Jay
15 College here in New York City, and I'd like to
16 address this on both ends of the agenda. I was the
17 Head Baseball Coach at Ramapo College, which used

18 only wood bats in our conference for many years. Now

19 I've been here at John Jay, so I've seen both ends.

20 I will agree that maybe three, four,

21 five years ago there was a very big difference in

22 the way the ball came off the bat. I have noticed

23 over the last two years, since we have been

24 regulating this, that I no longer feel that the

25 difference is drastic. I actually don't feel there's

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2 much of a difference anymore with the aspect of the

3 speed. Sure, if a ball is very close to your hands

4 or getting into baseball stuff right now, a bat

5 might break, a wood bat might break where an

6 aluminum bat won't break. I no longer see it as that

7 much of a safety issue.

8 I do feel that as my colleagues have

9 said, the experts have done a wonderful job in

10 leveling off the playing field, and although as I
11 started off saying a few years ago, this was a
12 major, major issue a few years ago, I no longer feel
13 that with the technology being used by the bat
14 companies that the difference is enough for you to
15 have to make legislation on this, a vote on this. I
16 feel that the organizations themselves putting the
17 safety of the players first, I mean as the NCAA does
18 all the time. Before an NCAA college baseball game,
19 the umpires will come across and check every bat to
20 make sure the bats are certified, they'll check
21 every helmet to make sure there's no cracks in the
22 helmet. Safety is the first issue, and I do believe
23 that with the new technology the aluminum bats are
24 now as safe as the wood bats, and I personally don't
25 see a need for any kind of legislation on this.

2 Thank you.

3 MR. MANDL: Good morning. My name is
4 Steve Mandl. I'm the Head Baseball Coach at George
5 Washington High School right here in New York City.
6 I also work for the BCA, Baseball Coach Organization
7 of American, I'm on the Executive Board, and I'm on
8 the Rules Committee of the ABCA. I was the Athletic
9 Director for 11 years at George Washington and the
10 Assistant Principal for eight years. So, you know,
11 students and safety are always a big issue with us.

12 We have one of the top programs in
13 the United States, we've put four kids into the
14 Major League, and God knows how many in the minor
15 leagues. So, we're always thinking about the next
16 level and pro ball. And my team actually practices
17 with wood, but the reason we do has nothing to do
18 with safety, it has to do with what John Frankle
19 said, and that is because on the next level in pro
20 ball, that's what they're going to use.

21 Now, we want to go by, you know, if
22 there is scientific evidence, you know, we care
23 about safety, I'll be the first one to say, okay,

24 that's it, we're going to stop. But I haven't seen
25 any. And if we're going by, as John Frankle said,

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2 observation, I don't see it.

3 You know, Coach Polombo said one
4 thing that I want to expand on which makes a lot of
5 sense. The biggest difference that I see as a coach
6 for 24 years in that school, there is a big
7 difference between wood and aluminum. It has nothing
8 to do with the ball flying off the bat or going fast
9 or going further. The difference is in a wood bat
10 there is a sweet spot that they call, it's a little
11 area that when you hit the ball there, that's the
12 best spot where the ball is going to fly off the
13 bat.

14 If you hit a ball further away from
15 that, especially on the hands, the bat will break.

16 With a metal bat, it's not going to go further, but
17 there is more of an area where you can hit it and
18 you can get a base hit. So, in other words, you're
19 making some bad hitters into good hitters, because
20 they have a larger area to hit with, but I do not
21 see any balls flying off the bat any quicker.

22 Now, many times we say, you know, a
23 guy hits a ball, I had Manny Ramirez play for me and
24 he used to hit balls, 430, 440 feet in high school,
25 that's incredible, but he's in the major leagues

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2 now, he's hitting balls 480 feet. So, he's bigger,
3 he's stronger and he's using wood.

4 I haven't seen anybody, you know, get
5 killed or get hit. You know, my 24 years I've been
6 very fortunate to only see one kid get hit with a
7 ball off a metal bat and that ball hit him off the